

APPOINTMENTS IN THE OFFICERS' RESERVE CORPS OF THE ARMY
GENERAL OFFICER

To be brigadier generals, Reserve

Brig. Gen. Louis Francis Guerre, Louisiana National Guard, from August 1, 1929.

Brig. Gen. Harry Gray Winsor, Washington National Guard, from June 26, 1929.

PROMOTION IN MARINE CORPS

Col. Cyrus S. Radford, assistant quartermaster, to be the quartermaster of the Marine Corps, with the rank of brigadier general, for a period of four years from the 24th day of August, 1929.

Brig. Gen. Smedley D. Butler to be a major general (temporary) in the Marine Corps from the 5th day of July, 1929.

Col. John T. Myers (an additional number in his grade) to be a brigadier general in the Marine Corps from the 5th day of July, 1929.

Capt. Pedro A. del Valle to be a major in the Marine Corps from the 1st day of June, 1929.

Capt. Walter H. Sitz to be a major in the Marine Corps from the 30th day of June, 1929.

First Lieut. Joseph C. Grayson to be a captain in the Marine Corps from the 11th day of February, 1929.

First Lieut. Donald G. Oglesby to be a captain in the Marine Corps from the 25th day of February, 1929.

First Lieut. Byron F. Johnson to be a captain in the Marine Corps from the 9th day of April, 1929.

First Lieut. Alfred C. Cottrell to be a captain in the Marine Corps from the 13th day of May, 1929.

First Lieut. John T. Selden to be a captain in the Marine Corps from the 16th day of May, 1929.

First Lieut. Elmer E. Hall to be a captain in the Marine Corps from the 1st day of June, 1929.

First Lieut. Henry A. Carr to be a captain in the Marine Corps from the 2d day of June, 1929.

First Lieut. Orrel A. Inman to be a captain in the Marine Corps from the 30th day of June, 1929.

First Lieut. Frank S. Flack to be a captain in the Marine Corps from the 23d day of July, 1929.

Second Lieut. Albert R. Bourne to be a first lieutenant in the Marine Corps from the 24th day of June, 1928.

Second Lieut. Reginald H. Ridgely, jr., to be a first lieutenant in the Marine Corps from the 27th day of November, 1928.

Second Lieut. Albert D. Cooley to be a first lieutenant in the Marine Corps from the 10th day of May, 1929.

Second Lieut. Theodore A. Holdahl to be a first lieutenant in the Marine Corps from the 12th day of May, 1929.

Second Lieut. Richard Fagan to be a first lieutenant in the Marine Corps from the 13th day of May, 1929.

Second Lieut. Lewis B. Puller to be a first lieutenant in the Marine Corps from the 24th day of May, 1929.

Second Lieut. Ernest E. Shaughnessey to be a first lieutenant in the Marine Corps from the 1st day of June, 1929.

Second Lieut. James E. Jones to be a first lieutenant in the Marine Corps from the 2d day of June, 1929.

Second Lieut. Herbert P. Becker to be a first lieutenant in the Marine Corps from the 30th day of June, 1929.

Second Lieut. William C. Purple to be a first lieutenant in the Marine Corps from the 23d day of July, 1929.

The following-named citizens to be second lieutenants in the Marine Corps, (probationary for two years), from the 25th day of July, 1929:

Wilfred J. Huffman, a citizen of Mississippi.
Joseph P. McCaffery, a citizen of Pennsylvania.
Clarence J. O'Donnell, a citizen of Massachusetts.
John B. Hill, a citizen of Georgia.
John S. Holmberg, a citizen of Minnesota.
Keith R. Willard, a citizen of Illinois.
James R. Hester, a citizen of Kentucky.
Albert F. Moe, a citizen of California.
Lloyd H. Reilly, a citizen of Iowa.
Carson A. Roberts, a citizen of Wisconsin.
Chester R. Allen, a citizen of Florida.
Orin K. Pressley, a citizen of South Carolina.
Richard J. McPherson, a citizen of Missouri.
Joseph H. Berry, a citizen of Oregon.
William F. Parks, a citizen of Oregon.
Robert H. Williams, a citizen of Ohio.
Claude I. Boles, a citizen of Iowa.
William A. Willis, a citizen of Georgia.

Quartermaster Clerk William A. Warrell to be a chief quartermaster clerk in the Marine Corps, to rank with but after second lieutenant, from the 19th day of October, 1928.

Quartermaster Clerk John L. Watkins to be a chief quartermaster clerk in the Marine Corps, to rank with but after second lieutenant, from the 3d day of November, 1928.

Pay Clerk John J. Reidy to be a chief pay clerk in the Marine Corps, to rank with but after second lieutenant, from the 22d day of March, 1929.

SENATE

THURSDAY, September 5, 1929

Rev. George G. Culbertson, associate minister of the New York Avenue Presbyterian Church of the city of Washington, offered the following prayer:

Infinite and gracious God, our Heavenly Father, ever near to us and always ready to help those who put their trust in Thee, incline Thine ear unto us. Make us more eager to do Thy will and more susceptible to heavenly influences. With clear vision and firm, unflinching footsteps may we go forward with the duties of the hour, leaving the final issues of life to Thee, who doeth all things well; and to Thee shall be the glory and honor and praise forever. Amen.

The Chief Clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. WATSON and by unanimous consent, the further reading was dispensed with and the Journal was approved.

PRESIDENTIAL APPROVALS

A message from the President of the United States by Mr. Latta, one of his secretaries, announced that the President had approved and signed the following acts:

On June 18, 1929:

S. 1452. An act to authorize the State of West Virginia to acquire a bridge over the Kanawha River at Cabin Creek in said State and to acquire the right to construct a bridge over said river at or near St. Albans in said State.

On June 20, 1929:

S. 1453. An act to extend the times for commencing and completing the construction of certain bridges, and for other purposes.

On June 21, 1929:

S. 1535. An act to extend the time for the construction of the bridge across the Chesapeake Bay; and

S. 1548. An act extending the times for commencing and completing the construction of a bridge across the White River at or near Newport, Ark.

On June 24, 1929:

S. 1537. An act to amend subdivision (a) of section 1 of the act entitled "An act making it a felony with penalty for certain aliens to enter the United States of America under certain conditions in violation of law," approved March 4, 1929.

On June 25, 1929:

S. 669. An act to alter and amend an act entitled "An act granting lands to aid in the construction of a railroad and telegraph line from Lake Superior to Puget Sound, on the Pacific coast, by the northern route," approved July 2, 1864, and to alter and amend a joint resolution entitled "Joint resolution authorizing the Northern Pacific Railroad Co. to issue its bonds for the construction of its road and to secure the same by mortgage, and for other purposes," approved May 31, 1870; to declare forfeited to the United States certain claimed rights asserted by the Northern Pacific Railroad Co., or the Northern Pacific Railway Co.; to direct the institution and prosecution of proceedings looking to the adjustment of the grant, and for other purposes.

CALL OF THE ROLL

Mr. WATSON. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

| | | | |
|-----------|--------------|----------------|---------------|
| Allen | Fletcher | Kean | Sackett |
| Ashurst | Frazier | Keyes | Sheppard |
| Barkley | George | King | Shortridge |
| Bingham | Glass | La Follette | Simmons |
| Black | Glenn | McKellar | Smoot |
| Blaine | Goff | McMaster | Stelwer |
| Blease | Goldsborough | McNary | Swanson |
| Borah | Greene | Moses | Thomas, Idaho |
| Brookhart | Hale | Nye | Townsend |
| Broussard | Harris | Overman | Trammell |
| Burton | Harrison | Patterson | Tydings |
| Capper | Hastings | Phelps | Vandenberg |
| Caraway | Hayden | Pine | Wagner |
| Connally | Hebert | Pittman | Walsh, Mass. |
| Couzens | Heflin | Ransdell | Walsh, Mont. |
| Deneen | Howell | Reed | Warren |
| Fess | Jones | Robinson, Ark. | Watson |

Mr. GOFF. I wish to announce that my colleague the junior Senator from West Virginia [Mr. HATFIELD] is detained from the Senate by professional engagements, but he will be here in a very short time.

Mr. McMASTER. I desire to announce the unavoidable absence of my colleague the senior Senator from South Dakota [Mr. NORBECK].

Mr. HARRISON. I desire to announce that my colleague the junior Senator from Mississippi [Mr. STEPHENS] is necessarily detained from the Senate by illness in his family. I will let this announcement stand for the day.

Mr. SHEPPARD. I wish to announce that the senior Senator from South Carolina [Mr. SMITH] is necessarily detained from the Senate by illness in his family. I will let this announcement stand for the day.

I also wish to announce that the junior Senator from Oklahoma [Mr. THOMAS] is necessarily detained from the Senate on official business.

The VICE PRESIDENT. Sixty-eight Senators have answered to their names. A quorum is present.

PETITION

Mr. BLAINE presented a petition of sundry citizens of Platteville, Wis., praying for the prompt passage of legislation granting increased pensions to Civil War veterans and their widows, which was referred to the Committee on Pensions.

PROHIBITION ENFORCEMENT—LETTER OF AUSTEN G. FOX

Mr. WAGNER. Mr. President, I ask unanimous consent to have printed in the RECORD an open letter sent by Austen G. Fox, a distinguished citizen of the State of New York, to the President of the United States.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

To the PRESIDENT OF THE UNITED STATES.

SIR: A citizen finds in the first amendment to the Constitution his right "to petition the Government for the redress of grievances." Plainly it is the Executive alone who can put an end to the shocking and increasing assassinations of citizens by agents of the Federal Government. With the power that alone can put an end to grievances rests, also, the responsibility for their continuance. Who can doubt the abiding truth in the following statement:

"Our Government is the potent, the omnipresent teacher. * * * Crime is contagious. If the Government becomes a lawbreaker it breeds contempt for law; * * * it invites anarchy." (Mr. Justice Brandeis in *Olmstead v. United States*, 72 L. Ed. 944.)

Yesterday F. Scott McBride, general superintendent of the Anti-Saloon League, in its "first general survey of prohibition since the inauguration of President Hoover," said: "Scores of Federal officials * * * have adopted a more aggressive policy." The same day we read also the story of the killing in Minnesota, the latest result of this "more aggressive policy."

Last month large numbers rose in the House from their worship at the altar of law enforcement and shouted their glee at the news that another fellow citizen had been shot to death, this time on the streets of the National Capital. To-day we read that they all sat silent under the denunciation of the killing of the day before.

The Minnesota assassin took no chance of missing his victim. He used a "riot gun," put 26 bullets into the automobile, killed his man, and barely missed two children and their mother.

Too long has this "more aggressive policy" resulted in assassination on land and sea. The men who put "riot guns" in the hands of the men whom they send to "patrol" the highways and the Great Lakes or the sea are removable, every one of them, by the President.

Read the news from International Falls, Minn., to-day:

"Citizens of the town gathered in groups about the jail and discussed the advisability of going armed when motoring to protect themselves against similar attack."

With "border patrolmen armed with .45-caliber pistols and repeating shotguns on the highway tourists * * * are leaving for their homes." The assassin White was reported as "still on the Government pay roll last night."

In closing I repeat the words of warning that these assassinations by Federal agents are the very thing that "lead to anarchy." Make no mistake, Mr. President. When citizens arm in common defense against officers of the Federal Government who shoot at will is it anarchy or is it revolt? It was your immediate predecessor who told the American Bar Association that attempts to force an unacceptable law on an unwilling people would "end only in revolt."

AUSTEN G. FOX.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

Mr. KING. I send to the desk and ask to have printed and referred to the appropriate committee a bill granting certain unreserved and unappropriated public lands to the several States.

I would like to say that a similar measure was introduced by me in the House years ago and at nearly every session of the Congress since I have been in the Senate. In view of the attitude of the President, which seems to indicate that he favors, so far as we can judge from newspaper reports, a cession to the States of certain of the public lands and with certain reservations, I feel that it is an opportune time to press the question of an unrestricted cession of the public domains to the several States.

As corollary to that I introduce another bill to establish a branch of the Department of the Interior in one of the public-land States, to transfer to such branch certain bureaus and offices of the Department of the Interior, and for other purposes.

By Mr. KING:

A bill (S. 1593) granting certain unreserved and unappropriated public lands to the several States; and

A bill (S. 1594) to establish a branch of the Department of the Interior in one of the public-land States, to transfer to such branch certain bureaus and offices of the Department of the Interior, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. GLENN:

A bill (S. 1595) granting a pension to Amanda Kniseley (with accompanying papers); to the Committee on Pensions.

By Mr. BROOKHART:

A bill (S. 1596) granting an increase of pension to Edith Engle (with accompanying papers); and

A bill (S. 1597) granting an increase of pension to Florence A. Martin (with accompanying papers); to the Committee on Pensions.

By Mr. ASHURST:

A bill (S. 1598) granting an increase of pension to Alfred Haught; to the Committee on Pensions.

By Mr. REED:

A bill (S. 1599) for the relief of Fred W. Boschen, lieutenant colonel, Finance Department, United States Army; to the Committee on Claims.

A bill (S. 1600) to authorize the removal of the Aqueduct Bridge crossing the Potomac River from Georgetown, D. C., to Rosslyn, Va.;

A bill (S. 1601) to authorize the exchange of certain lands adjoining the Catoosa Springs (Ga.) target range;

A bill (S. 1602) to provide for the care of private battlefield memorials in Europe;

A bill (S. 1603) to provide for the exchange of lands of the United States in the Philippine Islands for lands of the Philippine government;

A bill (S. 1604) to amend the act entitled "An act to discontinue certain reports now required by law to be made to Congress," approved May 29, 1928;

A bill (S. 1605) to authorize the Secretary of War to resell the undisposed of portion of Camp Taylor, Ky., approximately 328 acres, and to also authorize the appraisal of property disposed of under authority contained in the acts of Congress approved July 9, 1918, and July 11, 1919, and for other purposes;

A bill (S. 1606) to amend an act entitled "An act to define the terms 'child' and 'children' as used in the acts of May 18, 1920, and June 10, 1922," approved February 21, 1929; and

A bill (S. 1607) to authorize the President to class as secret certain material, apparatus, or equipment for military and naval use, and for other purposes; to the Committee on Military Affairs.

A joint resolution (S. J. Res. 69) authorizing the Secretary of War to receive, for instruction at the United States Military Academy at West Point, Edmundo Valdez Murillo, a citizen of Ecuador; to the Committee on Military Affairs.

AMENDMENT TO TARIFF BILL—AVOCADOS AND MANGOES

Mr. FLETCHER submitted an amendment intended to be proposed by him to House bill 2667, the tariff revision bill, which was referred to the Committee on Finance and ordered to be printed.

REVISION OF THE TARIFF

Mr. BARKLEY. Mr. President, I ask unanimous consent to have read by the clerk a short letter which I send to the desk.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the clerk will read, as requested.

The legislative clerk read as follows:

ST. PAUL, MINN., August 31, 1929.

To All Members of the Senate of the United States:

The special session of the Congress was called for the particular purpose of granting to agriculture tariff equality with industry. The Congress thus far has lost sight of or disregarded this fact. It has so readjusted industrial tariff rates as to make the inequality between industry and agriculture greater than ever before. The proposed tariff schedules are, therefore, absolutely unsatisfactory to agriculture.

We demand that you exercise every effort to limit the action of the Congress to the purpose for which the session was called, and that unless the tariff readjustments made by the Congress are confined to agricultural products no changes be made in the present tariff schedules.

THE MINNESOTA FARM BUREAU,
By A. J. OLSON, *President*.
LAND O'LAKE CREAMERIES (INC.),
By JOHN BRANDT, *President*.
CENTRAL COOPERATIVE ASSOCIATION,
By CHAS. CRANDALL, *President*.
TWIN CITY MILK PRODUCERS' ASSOCIATION,
By W. S. MOSCRIPT, *President*.

The VICE PRESIDENT. The letter will lie on the table.

Mr. BORAH. Mr. President, I ask unanimous consent to have inserted in the RECORD an editorial from the Minneapolis Tribune relative to the pending tariff measure.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[Minneapolis Tribune, Monday, September 2, 1929]

THE FARMERS THEMSELVES ARE NOT FOOLED BY THE BILL

It is an authoritative and arresting document which Minnesota's four great cooperative associations have just sent to the Senators at Washington. The Land O'Lakes Creameries, the Central Cooperative Association, the Minnesota Farm Bureau Federation, and the Twin City Milk Producers' Association certainly have the right to speak for Minnesota agriculture. They represent about 150,000 Minnesota farmers, not to speak of an added 25,000 non-Minnesota Northwest farmers.

Their letter to the Senators runs as follows:

"The special session of the Congress was called for the particular purpose of granting to agriculture tariff equality with industry. The Congress has thus far lost sight of or disregarded this fact. It has so readjusted industrial tariff rates as to make the inequality between industry and agriculture greater than ever before. The proposed tariff schedules are, therefore, absolutely unsatisfactory to agriculture.

"We demand that you exercise every effort to limit the action of the Congress to the purpose for which the session was called, and that, unless readjustments made are confined to agricultural products, no changes be made in the present tariff schedules."

Here is a sound and dignified position. Minnesota's leading agricultural cooperative associations have no illusions about the tariff bill as it stands at present. They understand fully that the few dollars per year which the average Minnesota farmer might gain in cattle, cream, and hides would not compensate him for the added costs imposed upon him by the nonagricultural increases. The cooperative associations decline to countenance a farce. They either want a literal fulfillment of the party pledges or no tariff revision at all. The special session, to them, was a carriage for agriculture. Rather than stand by and watch industry push agriculture out of the carriage and go riding down the street in state they would dismiss the carriage and put an end to the preposterous performance once and for all.

The few Northwest newspapers and individuals that have sought to convince the Minnesota farmers of the Smoot-Hawley bill's rare virtues have made no impression upon these great cooperative associations. In these cooperative associations is reflected the considered and matured views of the farmers themselves. These associations have studied the bill, item by item, and know whereof they speak. They have the best interests of the farmer at heart. They would hardly take so decisive an attitude toward the bill if they believed it improved the farmer's status in the slightest degree. Their investigations have led them to conclude that the bill is a sham and a fraud. In its present form they have no interest in it whatsoever. Their feeling about it is substantially the same as the Tribune's, namely, that Congress is simply insulting this section of the country by offering it such a measure as a fulfillment of the Republican Party's pledges. We are glad to hear our cooperative associations speak up, and without mincing words. Their words should set at rest any lingering senatorial notions that Minnesota agriculture is at all fooled by the bill.

Mr. SMOOT. Mr. President, on yesterday the Senate authorized the printing of 5,000 copies of the pending tariff bill, but it did not include a similar number of copies of the report. The limitation imposed by the rule would not allow me to provide in the resolution yesterday for the printing of the report. The officials in the House document room have already called attention to the fact that they ought to have the report in connection with the bill. Therefore I ask that there be printed 5,000 addi-

tional copies of the report of the committee on the tariff bill of 1929.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The order was reduced to writing, as follows:

Ordered, That 5,000 additional copies of Senate Report No. 37, accompanying the bill (H. R. 2667) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes, be printed for the use of the Senate document room.

Mr. KING. Mr. President, I send to the desk and I ask to have printed an amendment to the pending tariff bill. If I may have the indulgence of the Senate for a moment I shall read one or two sentences, which will be explanatory of the scope of the proposed amendment.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. KING. The proposed amendment provides that—

The United States Tariff Commission is hereby continued, but shall, after the approval of this act, be an agency in the legislative branch of the Government to aid the Congress in the exercise of its legislative functions relating to customs duties.

The amendment carries with it a provision repealing sections 315, 316, and 317 of the Fordney-McCumber Act, which provide the flexible tariff provisions, and it makes some further changes in existing law.

The VICE PRESIDENT. The amendment will be printed and lie on the table.

INCOME-TAX AND CAPITAL-STOCK-TAX RETURNS

Mr. SIMMONS. Mr. President, I desire to offer a Senate resolution, which I send to the desk and ask the clerk to read.

The VICE PRESIDENT. The clerk will read, as requested.

The legislative clerk read the resolution (S. Res. 108), as follows:

Resolved, That the Committee on Finance is directed forthwith to request the Secretary of the Treasury, pursuant to the authority vested in it under the internal revenue laws, to furnish the committee at the earliest practicable date a statement in detail for each of the taxable years 1922 to 1928, inclusive, of the profits or losses, as the case may be, of the taxpayers whose names the committee, or the majority or minority members thereof, may from time to time during the consideration by the Congress of the pending tariff legislation transmit to the Secretary as being the names of taxpayers whose products or manufactures are, in the opinion of the committee, or of the majority or minority members thereof, affected by the pending tariff legislation in so far as such profits or losses are contained in or shown by the income tax and capital-stock tax returns of such taxpayers, segregated, so far as may be practicable, to show the profits or losses, as the case may be, in the several branches or departments of the business of such taxpayers.

Mr. SIMMONS. Mr. President, I should like to have immediate action upon my resolution, because it is very important that the information desired should be in possession of the committee as soon as possible; but I will not ask for present consideration if there is any objection whatsoever.

The VICE PRESIDENT. Is there objection to the immediate consideration of the resolution?

Mr. WATSON. I object to the present consideration of the resolution. I do not object to debating it, but I think under the agreement we have that no vote shall be taken upon any question affecting the tariff and no discussion until next Monday, perhaps to act upon the resolution would be a violation of that agreement.

Mr. SIMMONS. I think it would be if there is any objection and, therefore, if there is any objection, I will not press the resolution at this time.

Mr. WALSH of Montana. I desire to inquire of the Senator from North Carolina whether, if the information is thus presented to the committee or to the minority or majority members thereof, it will be available to other Senators?

Mr. SIMMONS. Mr. President, I am afraid that I may have somewhat misled Senators in regard to that by some answers which I made to inquiries on yesterday. I had not at that time very carefully investigated the act under which the Senate committee is authorized to elicit the information. A careful investigation of the act shows that whatever information is obtained from the Secretary of the Treasury in response to a resolution by the committee will be in the hands of the committee, and they are authorized to put that information in the possession of the two Houses of Congress. I send to the clerk's desk and ask to have him read the marked portions of the revenue act of 1926 to which I refer.

The VICE PRESIDENT. Without objection, the Secretary will read.

The legislative clerk read as follows:

(b) (1) The Secretary and any officer or employee of the Treasury Department, upon request from the Committee on Ways and Means of the House of Representatives, the Committee on Finance of the Senate, or a select committee of the Senate or House specially authorized to investigate returns by a resolution of the Senate or House, or a joint committee so authorized by concurrent resolution, shall furnish such committee sitting in executive session with any data of any character contained in or shown by any return.

(b) (3) Any relevant or useful information thus obtained may be submitted by the committee obtaining it to the Senate or the House, or to both the Senate and the House, as the case may be.

Mr. BLAINE. Mr. President, I desire to inquire of the Senator from North Carolina if his resolution is broad enough to include those portions of the income-tax returns which show the amount of wages paid during the years indicated in the resolution?

Mr. SIMMONS. No, Mr. President; the resolution is not addressed to the subject of wages, but only to the subject of profit and loss as disclosed by the income-tax returns.

Mr. BLAINE. Mr. President, the title of the tariff bill specifically states that one of its purposes is "to protect American labor." Is it not very essential for the Senate to be informed of the amount of wages that are paid to workers in industry in order to ascertain whether or not the title of the tariff bill is honest or a mere camouflage, a mere pretense?

Mr. SIMMONS. There is no question about that, Mr. President; the Senator is entirely right about it; but I wished to conform my resolution to the authority vested in the committee by the revenue act of 1926 for the purpose of securing action by the Senate instead of so broadening it as to make it necessary to have concurrent action by the House.

Mr. BLAINE. I should like further to inquire of the Senator if he would have any objection to an amendment which would include full information as to all details, knowledge as to which is necessary for a genuine understanding in the forthcoming tariff discussion, of the economic conditions of industry and labor? I understand that under the statute any information contained in the returns may be obtained by the Finance Committee; that is, there is justification for asking for all information. Is it not desirable to have all the information that is necessary and essential for a full consideration of the tariff schedules?

Mr. SIMMONS. Mr. President, undoubtedly the Senator is right; it is necessary; but here is an expressed authority conferred upon the committee, and the Senate has the right to instruct the committee to exercise the functions with which they are invested by that act. If we had gone farther than that, I think we would have had to draft the resolution in the form of a joint resolution. If the Senator will prepare a resolution of the character which he indicates, I shall be very glad to give it my hearty support; but I am afraid that such an amendment attached to the resolution I have offered might affect the power of the Senate to act alone in this behalf.

Mr. BLAINE. Mr. President, I should like to make one further inquiry. Under the resolution proposed by the Senator is it discretionary with the Finance Committee whether it will submit to the Senate the information it obtains from the Secretary of the Treasury?

Mr. SIMMONS. That is the only question which under the resolution is lodged in the discretion of the committee. The committee, as a committee, under this resolution would have to ask for the information desired, whether it would be asked for by the full committee or by a majority of the committee or by a minority of the committee; but when it comes to the question of whether the committee will submit the information it obtains to the Senate, there is no special authority in the resolution as to that. I thought it best to leave that in the discretion of the committee, assuming that if the committee should secure the information it would not exercise a discretion to deny the Members of the Senate the benefit of the information.

Mr. BLAINE. I thank the Senator.

Mr. HEFLIN. Mr. President, I should like to ask the Senator from Wisconsin a question.

The VICE PRESIDENT. The Senator from North Carolina has the floor.

Mr. HEFLIN. Will the Senator from North Carolina yield to me to ask the Senator from Wisconsin a question?

Mr. SIMMONS. I yield.

Mr. HEFLIN. I wish to suggest to the Senator from Wisconsin that he might offer his resolution as a separate one to-day

and have it come up on Monday when the resolution of the Senator from North Carolina will come up, or after that resolution shall have been acted upon.

Mr. BLAINE. I desire to suggest that as to the resolution offered yesterday by the Senator from Wisconsin that an attempt will be made to bring it before the Senate in due course of time; but in view of the suggestion made by the senior Senator from Indiana [Mr. WATSON] that there has been a sort of understanding arrived at that no vote will be taken to-day, and, in fact, no debate until next Monday, I will not press the consideration of that resolution until that time.

Mr. HEFLIN. Does the Senator's resolution cover the matters which he has suggested to the Senator from North Carolina?

Mr. BLAINE. It fully covers the matters suggested in my inquiries to the Senator from North Carolina.

Mr. HEFLIN. Very well.

Mr. McKELLAR. Mr. President, may I ask the Senator from North Carolina a question?

Mr. SIMMONS. I will yield to the Senator in a moment. I think the resolution offered by the Senator from Wisconsin on yesterday was a very proper one, and I would have been glad then to have given it my support; but it was a joint resolution, and we could not get action upon it until the House should concur in it, and the President should sign it. If the Senator from Wisconsin will draw his resolution so as to include wages paid, I will be glad to vote for it in that form, or in its less restricted form, because I should like very much to have the full information the Senator from Wisconsin desires. My resolution is not antagonistic to the views of the Senator, but is designed simply to secure immediate action, so that we may get these returns at once.

Mr. McKELLAR. Mr. President—

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from Tennessee?

Mr. SIMMONS. I yield.

Mr. McKELLAR. I wish to ask the Senator, has he any doubt whether the committee, when it obtains the information, will give it to each and every Member of the Senate who may desire it?

Mr. SIMMONS. As I have said, that is in the discretion of the committee, and I am afraid if I took that out of the discretion of the committee I might possibly be going a little too far. I assume, however, if the committee asks for the information—and, of course, it will if this resolution shall be adopted—and secures the information, that the committee will not withhold it from the Senate.

Mr. McKELLAR. They would not withhold it from the Members of the Senate?

Mr. SIMMONS. I assume that they would not exercise the discretion in that way.

Mr. McKELLAR. I hope the Senator is right about it, but I should like to know what the other members of the committee think about it.

Mr. SIMMONS. If they should do that, we could pass a supplementary resolution. I should not like to encumber the present proposition with anything that might preclude the Senate from action without the consent of the other House.

Mr. SWANSON. Mr. President, I understand the resolution refers to taxpayers. That would include individuals as well as corporations, would it not? There is no doubt as to that, is there?

Mr. SIMMONS. There is no doubt at all as to that.

REFERENCE OF EXECUTIVE MESSAGES

Mr. WATSON. I ask unanimous consent for the adoption of the order which I send to the desk.

The VICE PRESIDENT. The clerk will read the order.

The legislative clerk read as follows:

Ordered, by unanimous consent, That on calendar days of the balance of the first session of the Seventy-first Congress, when Executive messages transmitting nominations or treaties are received and there is no executive session of the Senate, the President of the Senate is authorized, unless objection is made, to refer to the proper committees, as in executive session, such messages with the accompanying nominations or treaties.

Mr. ROBINSON of Arkansas. Mr. President, if the Senator from Indiana will yield to me for a moment, I desire to suggest that similar orders have heretofore been adopted, and such an order was in force during the last session.

Mr. WATSON. That is correct.

Mr. ROBINSON of Arkansas. I have no objection to the present consideration and adoption of the order.

There being no objection, the order was considered by unanimous consent and adopted.

S. A. SMITH AND FRANK B. SMITH

Mr. WATSON submitted the following resolution (S. Res. 109), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the appropriation for miscellaneous items, contingent fund of the Senate, fiscal year 1929, to S. A. Smith and Frank B. Smith, sons and sole heirs of Samuel R. Smith, late a messenger in the employ of the Senate under supervision of the Sergeant at Arms, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

ATLANTA F. CANNON

Mr. WATSON submitted the following resolution (S. Res. 110), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the appropriation for miscellaneous items, contingent fund of the Senate, fiscal year 1929, to Atlanta F. Cannon, widow of Thomas P. Cannon, late an employee of the Senate under supervision of the Sergeant at Arms, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

PROHIBITION ENFORCEMENT

Mr. WATSON. I move that the Senate adjourn until Monday next at 12 o'clock.

Mr. JONES. Mr. President, will the Senator withhold his motion for a moment?

Mr. WATSON. Certainly.

Mr. JONES. Mr. President, the unfinished business of the Senate is Senate Joint Resolution 53, providing for a joint commission of Senators and Representatives to look into the matter of the transfer of the Prohibition Unit, together with allied activities, to the Department of Justice. That joint resolution was under discussion all day at the close of the session before the recess was taken in June, and we were about ready for a vote. An amendment was offered by the Senator from Missouri [Mr. HAWES]. The Senator from Missouri writes me—and I have his letter here—that he does not care to press that amendment.

I hope we may pass this joint resolution. It simply provides for a joint commission of Senators and Representatives. I can see how some may think that the joint resolution is not really necessary, but certainly there can be no objection to it. The President sent a special message to Congress asking for its passage, and I hope it may be passed with the amendments recommended by the Judiciary Committee.

Mr. KING. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Utah?

Mr. JONES. I do.

Mr. KING. I inquire of the Senator whether he thinks it would be wise or prudent to take action upon the joint resolution, in view of the fact that the President some time ago appointed a commission for the purpose of making investigations in regard to the question of prohibition and all cognate matters?

Mr. JONES. The Senator refers to the general commission, I understand?

Mr. KING. Yes.

Mr. JONES. I think so. The President sent his message after that was done. He considers this a separate and distinct proposition, and I think expects and would like to have it considered separately, with a view to having recommendations submitted to Congress early in the regular session, in order that prompt action may be taken. Of course, if there is objection, or any serious discussion, I shall have to let the joint resolution go over.

Mr. GLASS. Mr. President—

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Virginia?

Mr. JONES. I yield.

Mr. GLASS. The statement has been made, though as to its responsibility I know nothing, that in view of the fact that this joint resolution was not passed two months ago, when it was first reported, the administration had arranged to get the desired information through the departments. It has had two months in which to do that. I should like to ask the Senator if he knows anything about that.

Mr. JONES. I have not been advised of any action along that line.

Mr. GLASS. In view of the fact that the Senator is not advised, I think the joint resolution had better go over until next week. I have no disposition to obstruct it, but the very definite

statement was made in the public prints that in view of the fact that action had not been taken on the joint resolution, arrangements had been made to obtain the necessary information from the department heads.

Mr. JONES. If it may go over until Monday morning without being displaced, in the meantime I will try to find out whether any action has been taken along that line.

The VICE PRESIDENT. The joint resolution will go over.

REFERENCE OF EXECUTIVE MESSAGES

The VICE PRESIDENT. Under the terms of the order agreed to to-day, the Chair refers to their appropriate committees sundry messages from the President transmitting Executive nominations.

ADJOURNMENT TO MONDAY

Mr. WATSON. I move that the Senate adjourn until Monday next at 12 o'clock noon.

The motion was agreed to; and (at 12 o'clock and 33 minutes p. m.) the Senate adjourned until Monday, September 9, 1929, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate September 5, 1929

APPOINTMENT IN THE ARMY

To be brigadier general

Col. Andrew Moses, Field Artillery, vice Brig. Gen. Frank R. McCoy, nominated for appointment as major general.

APPOINTMENT AND PROMOTIONS IN THE NAVY

MARINE CORPS

Lieut. Col. Thomas M. Clinton to be a colonel in the Marine Corps from the 24th day of August, 1929.

Maj. Arthur Racicot to be a lieutenant colonel in the Marine Corps from the 24th day of August, 1929.

Capt. William G. Hawthorne to be a major in the Marine Corps from the 24th day of August, 1929.

Second Lieut. Robert S. Viall to be a first lieutenant in the Marine Corps from the 20th day of March, 1929.

Second Lieut. William G. Manley to be a first lieutenant in the Marine Corps from the 6th day of May, 1929.

Second Lieut. Robert O. Bare to be a first lieutenant in the Marine Corps from the 23d day of July, 1929.

Second Lieut. Prentice A. Shiebler to be a first lieutenant in the Marine Corps from the 24th day of August, 1929.

Zebulon C. Hopkins, a citizen of Delaware, to be a second lieutenant in the Marine Corps (probationary for two years) from the 25th day of July, 1929.

SENATE

MONDAY, September 9, 1929

Rev. George G. Culbertson, associate minister of the New York Avenue Presbyterian Church of the city of Washington, offered the following prayer:

We lift our prayer in thankfulness, O Lord, our God, for the manifold blessings of life—for the high ideals and heroism which moved our fathers in the founding of our Government, for the wisdom of its conception, for its lofty purpose to guarantee to every citizen life, liberty, and the pursuit of happiness. Make us faithful servants of this people and of Thee, that life may indeed be fuller, liberty truer, and happiness more complete. To the honor and glory of Thy holy name. Amen.

The Chief Clerk proceeded to read the Journal of the proceedings of Thursday last, when, on request of Mr. WATSON and by unanimous consent, the further reading was dispensed with and the Journal was approved.

SENATOR FROM TENNESSEE

Mr. McKELLAR. Mr. President, I present the certificate of appointment of the Hon. W. E. Brock, Senator designate from the State of Tennessee.

The VICE PRESIDENT. The certificate of appointment will be read.

The Chief Clerk read the credentials, as follows:

THE STATE OF TENNESSEE,
EXECUTIVE CHAMBER.

To all who shall see these presents, greeting:

Know ye, that whereas under chapter 8, section 3 of the first extra session of the legislature of 1913, the governor is authorized to appoint a Senator in the Congress of the United States, and a vacancy occurring caused by the failure of Col. Luke Lea to accept the appointment of the vacancy made by the death of Senator L. D. Tyson, and having